

DECLARATION AND POWER OF
ATTORNEY FOR PATENT APPLICATION

Attorney's Docket No. CD0787Q

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CRYSTALLINE ANTIFUNGAL POLYMORPH

the specification of which

☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable).

☐ was filed on _____ as PCT International Application No. _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes or No
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

<u>60/061,231</u> (Application Number)	<u>10/07/97</u> (Filing Date)
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status – patented, pending, abandoned)
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Power of Attorney: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in Patent and Trademark Office connected therewith. (List name and registration number.)

Carl W. Battle	Reg. No. 30731	Henry C. Jeanette	Reg. No. 30856
Edwin P. Ching	Reg. No. 34090	Susan Lee	Reg. No. 30653
Eric S. Dicker	Reg. No. 31699	Anita W. Magatti	Reg. No. 29825
Norman C. Dulak	Reg. No. 31608	John J. Maitner	Reg. No. 25636
Cynthia L. Foulke	Reg. No. 32364	Joseph T. Majka	Reg. No. 30570
Robert A. Franks	Reg. No. 28605	Arthur Mann	Reg. No. 35598
James M. Gould	Reg. No. 33702	Edward H. Mazer	Reg. No. 27573
Richard J. Grochala	Reg. No. 31518	James R. Nelson	Reg. No. 27929
Thomas D. Hoffman	Reg. No. 28221	Paul A. Thompson	Reg. No. 35385
		Donald W. Wyatt	Reg. No. 40,876

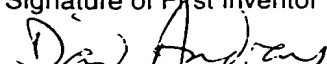
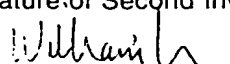

Send Correspondence to: Thomas D. Hoffman Schering-Plough Corporation Patent Department, K-6-1, 1990 2000 Galloping Hill Road Kenilworth, New Jersey 07033-0530	Direct Telephone Calls to: Name: Thomas D. Hoffman Telephone No.: (908) 298-5037 Facsimile No.: (908) 298-5388
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FULL NAME OF 1ST OR SOLE INVENTOR	FAMILY NAME Andrews	FIRST GIVEN NAME David	SECOND GIVEN NAME R.
RESIDENCE & CITIZENSHIP	CITY Maplewood	STATE OR FOREIGN COUNTRY New Jersey	COUNTRY OF CITIZENSHIP U.S.A.
POST OFFICE ADDRESS	POST OFFICE ADDRESS 449 Baldwin Road	CITY Maplewood	STATE & ZIP CODE/COUNTRY New Jersey 07040 U.S.A.

FULL NAME OF 2ND JOINT INVENTOR	FAMILY NAME Leong	FIRST GIVEN NAME William	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Westfield	STATE OR FOREIGN COUNTRY New Jersey	COUNTRY OF CITIZENSHIP U.S.A.
POST OFFICE ADDRESS	POST OFFICE ADDRESS 705 Carleton Road	CITY Westfield	STATE & ZIP CODE/COUNTRY New Jersey 07090 U.S.A.

FULL NAME OF 3RD JOINT INVENTOR	FAMILY NAME Sudhakar	FIRST GIVEN NAME Anantha	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY East Brunswick	STATE OR FOREIGN COUNTRY New Jersey	COUNTRY OF CITIZENSHIP India
POST OFFICE ADDRESS	POST OFFICE ADDRESS 18 Snowden Road	CITY East Brunswick	STATE & ZIP CODE/COUNTRY New Jersey 08816 U.S.A.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of First Inventor 	Signature of Second Inventor 	Signature of Third Inventor 
Date 10/1/98	Date 10/1/98	Date 10/1/98
David R. Andrews	William Leong	Anantha Sudhakar